

FORM TO BE USED BY PRISONERS IN FILING A COMPLAINT UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. § 1983  
 IN THE UNITED STATES DISTRICT COURT  
 FOR THE SOUTHERN DISTRICT OF MISSISSIPPI

## COMPLAINT

Penns MDoc# 106945  
 (Last Name) (Identification Number)

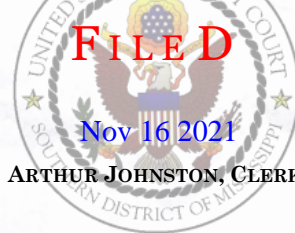
VARTAUROSE CARNELOUS  
 (First Name) (Middle Name)

HARRISON COUNTY JAIL  
 (Institution)

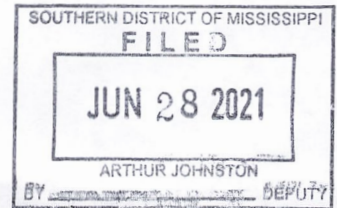
10451 LARKINSMITH DRIVE  
 (Address)

(Enter above the full name of the plaintiff, prisoner, and address plaintiff in this action)

UNITED STATES DISTRICT COURT  
 SOUTHERN DISTRICT OF MISSISSIPPI



ARTHUR JOHNSTON, CLERK



1:21cv371 TBM-RPM

V. TROY PETERS SMITH (Department)  
 (Office)  
 CIVIL ACTION NUMBER: 1:21cv221 LG-JCG

(to be completed by the Court)

HARRISON COUNTY JAIL (ETC.)

JAMES, JONES-ERT (ETC.)

KIMBERLY, HODGES-ERT (ETC.)

ERICA JIMENEZ OFC/ERT (ETC.)  
 (Enter above the full name of the defendant or defendants in this action)

## OTHER LAWSUITS FILED BY PLAINTIFF

## NOTICE AND WARNING:

The plaintiff must fully complete the following questions. Failure to do so may result in your case being dismissed.

- A. Have you ever filed any other lawsuits in a court of the United States? Yes ( ☒ ) No ( ☐ )
- B. If your answer to A is yes, complete the following information for each and every civil action and appeal filed by you. (If there is more than one action, complete the following information for the additional actions on the reverse side of this page or additional sheets of paper.)
- Parties to the action: GPD, Gulfport Police Department, Jason Duce, Ofc Gilich etc, SHEPHERD STANLEY MCDONALD, GREENE COUNTY SHERIFF OFFICE, JAIL etc, George County JAIL etc
  - Court (if federal court, name the district; if state court, name the county): HARRISON County Southern District of Mississippi, Suite 403
  - Docket Number: CAN'T remember lack of access to Docket.
  - Name of judge to whom case was assigned: J C G, Hard to remember at this time tm sorry.
  - Disposition (for example: was the case dismissed? If so, what grounds? Was it appealed? Is it still pending?): I don't know I need help / pending and dismissed. I believe I need help understanding what to do to process. ALL MATTERS. Ver

## PARTIES

(In item I below, place your name and prisoner number in the first blank and place your present address in the second blank. Do the same for additional plaintiff, if any).

I. Name of plaintiff: VARTAUROSE C. PENNS Prisoner Number: MDOC # 106945 County # 440460  
 Address: 10451 LARKINSMITH DRIVE Gulfport, MS, 39501  
JAMAR LANEIR DIXON 10451 LARKINSMITH DRIVE  
Gulfport MS, 39501.

(In item II below, place the full name of the defendant in the first blank, his official position in the second blank, and his place of employment in the third blank. Use the space below item II for the names, positions, and places of employment of any additional defendants.)

II. Defendant: Sheriff Troy Peters llc etc. Harrison County Jail llc etc. is employed as  
Corrections Division and Vital Core medical etc llc at 10451 LARKINSMITH  
DRIVE GPTMS, 39501.

The plaintiff is responsible for providing the court the name and address of each plaintiff(s) as well as the name(s) and address(es) of each defendant(s). Therefore, the plaintiff is required to complete the portion below:

## PLAINTIFF:

NAME: VARTAUROSE C. PENNS ADDRESS: 10451 LARKINSMITH DRIVE GPT, MS 39501  
JAMAR LANEIR DIXON 10451 LARKINSMITH DRIVE, Gulfport MS, 39501

DEFENDANT(S): HARRISON COUNTY SHERIFFS OFFICE 10451 LARKINSMITH DRIVE, Gulfport MS 39501.

NAME: "COUNTY" Sheriff's Office llc ADDRESS: JAIL 10451 LARKINSMITH DRIVE, GPTMS 39501  
HARRISON COUNTY Jail llc JAIL

James Jones ERT ofc 10451 LARKINSMITH DRIVE GPT, MS 39501

Kimberley Hodges ERT ofc 10451 LARKINSMITH DRIVE GPT, MS 39501

Sheriff Troy Peters llc 10451 LARKINSMITH DRIVE GPT, MS 39501

Vital Core Medical llc 10451 LARKINSMITH DRIVE GPT, MS 39501

Kelly Moore Med/col worker 10451 LARKINSMITH DRIVE GPT, MS 39501

Sgt. Kenneth Cunningham Disciplinary 10451 LARKINSMITH DRIVE GPT, MS 39501

Sgt. Woodcock #254 Disciplinary 10451 LARKINSMITH DRIVE GPT, MS 39501

ERT Kenneth Lowery ofc. 10451 LARKINSMITH DRIVE GPT, MS 39501

ERT ERT C GRAHAM ofc. 10451 LARKINSMITH DRIVE GPT, MS 39501

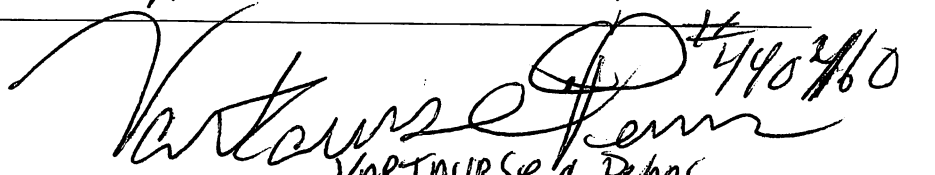
Social Worker Medical 10451 LARKINSMITH DRIVE GPT, MS 39501

Social Worker Medical 10451 LARKINSMITH DRIVE GPT, MS 39501

HARRISON COUNTY llc County 10451 LARKINSMITH DRIVE GPT, MS 39501



- ① <sup>MR.</sup>~~NURSE Miller~~ - <sup>MR.</sup>~~VITAL CORE~~ <sup>LLC</sup> 10451 LARKINSMITH DRIVE  
Gulfport MS 39503 etc.
- ② <sup>MR.</sup>~~NURSE LeBB~~ - <sup>LLC</sup>~~Vital Cafe~~ 10451 LARKINSMITH DRIVE Gulfport  
MS 39501 PRACTION etc.
- ③ ~~ARAMARK~~ - ~~Food Company~~ <sup>LLC</sup> etc. 10451 LARKINSMITH DRIVE  
Gulfport MS 39503
- <sup>CAPTAIN</sup> ④ ~~CAPTAIN LIEZE~~ 10451 LARKINSMITH DRIVE GPT, MS,  
39503, etc.
- ⑤ ~~JACOB MORGAN~~ - ~~ofc / ERT~~ 10451 LARKINSMITH  
DRIVE Gulfport MS, 39503
- LT ⑥ ~~MS Whittle~~ 214 - ~~MAIL Lady~~ - 10451 LARKINSMITH  
drive, Gulfport MS, 39503,
- ⑦ ~~Sgt. CHEN~~ - ~~Laundry~~ - 10451 LARKINSMITH  
Drive Gulfport MS, 39503
- ⑧ ~~WARDEN HUBBARD~~ 10451 LARKINSMITH DRIVE  
Gulfport MS, 39501
- ⑨ ~~NURSE Billingsly~~ ~~Practitioner~~ ~~Vital-Cafe~~ <sup>LLC</sup> etc 10451 LARKINSMITH  
Drive, ~~Gulfport~~ MS, 39503, <sup>LT. MABE</sup> 39503, <sup>Sgt MALLEY</sup> etc
- ⑩ ~~Sgt. GREGORY~~ - ~~ofc~~ 10451 LARKINSMITH DRIVE Gulfport MS, 39503.
- ⑪ <sup>Accident</sup> ~~Nurse Summer~~ 11 - 10451 LARKINSMITH  
DR. <sup>VITAL CORE</sup> etc 39503 - ~~man~~ A
- [~~MS Summer~~ ALL]
- Respectfully Submitted:

  
VARTAUSE C. Pehns  
Janor L. Dixon 4402/60  
440424  
JAMAR L. DIXON

## GENERAL INFORMATION

A. At the time of the incident complained of in this complaint, were you incarcerated because you had been convicted of a crime?

Yes ( ) No ( ☒ )

B. Are you presently incarcerated for a parole or probation violation?

Yes ( ) No ( ☒ )

(But I AM ON probation with out violation & just missed a court date, FTA.)

C. At the time of the incident complained of in this complaint, were you an inmate of the Mississippi Department of Corrections (MDOC)?

Yes ( ) No ( ☒ )

D. Are you currently an inmate of the Mississippi Department of Corrections (MDOC)?

Yes ( ) No ( ☒ )

E. Have you completed the Administrative Remedy Program regarding the claims presented in this complaint?

Yes ( ☒ ) No ( ), if so, state the results of the procedure:

NONE, I was placed 80 days in the hole without access to the medical outside world. 6/17/2021 they covered the officers and hid me in the hole.

F. If you are not an inmate of the Mississippi Department of Corrections, answer the following questions:

1. Did you present the facts relating to your complaint to the administrative or grievance procedure in your institution?

Yes ( ☒ ) No ( )

2. State how your claims were presented (written request, verbal request, request for forms):

all three ways and received partial help the Sgt. ofc. Jones claimed I spit on him and they hid me in this dungeon (hole) for 80 days.

3. State the date your claims were presented:

6/12/2021 - 6/19/2021 - 6/17/2021 - 6/18/21

4. State the result of the procedure:

I HAVE A Red on Red jump suit with the day it happened less my Court date set off placed in the whole for 80 days no canteen, no medical treatment only 2 nurses will see me but no response from most request or grievance forms till next month July 1 2021 I'm told I have a hearing but I'm hurt BADLY. (VOP)

## STATEMENT OF CLAIM

- III. State here as briefly as possible the facts of your case. Describe how each defendant is involved. Also, include the names of other persons involved, dates, and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of different claims, number and set forth each claim in a separate paragraph. (Use as much space as you need; attach extra sheet if necessary.)

ON or about 6/10/2021 while being moved from one suicide cell to the next by Erica Jimenez and ERT <sup>JAMES</sup> Jones, and ERT Kimberly Hodges and Sgt and staff officer Kimberly Hodges got up in my face and stated shut the fuck up and sit down I did as told while cuffed and the James Jones Repeated almost every word she said, while Erica Jimenez held her <sup>right</sup> hand in my chest, then Hodges stated you bitch is man who want to catch suicide case he in the hole, I <sup>ERT JONES</sup> Vartause Penns stated you the bitch who wants to be a man, she <sup>ERT JONES</sup> got down fist to palm and said, say it again. Bitch I bet you want I said Bitch you the bitch. She began to pound my face while I was cuffed and James Jones and Erica Jimenez joined.

RELIEF

See ATT:

- IV. State what relief you seek from the court. Make no legal arguments. Cite no cases or statutes.
- losses, Nominal damages \$50,000 \$5,000 Per defendant, Official Capacity 100,000,000  
Compensatory Damages \$150,000 Per defendant Plus \$10.98  
Punitive Damages \$150,000,000,000 Plus Individual  
Capacity \$120,000,000 Per defendant, ANY LAND, CARS, TRUCKS, BOATS,  
Planes, STOCKS, BONDS, CATTLE, deeds, or titles, or TRUST FUNDS  
owned by defendants as well as businesses. Please see ATTACHED  
Also have stock in place of tobacco products back in the facility. Respectfully

Signed this 19 day of JUNE

2021

Submitted

James L. Dixon #440724 Vartause Penns 4/40/80  
(S) Jamar L. Dixon #440724 Vartause Penns 4/40/80  
Signature of plaintiff, prisoner number and address of plaintiff

I declare under penalty of perjury that the foregoing is true and correct.

6/19/2021

(Date)

#440724

Vartause Penns

Signature of plaintiff

10451 Larkin Smith Drive  
Fort Worth TX 76103  
Vartause Penns 44046010451 Larkin Smith Dr.  
Fort Worth, TX 76103



## STATEMENT OF CLAIM

#110466

Case 1:21-cv-00371-TBM-RPM Document 5 Filed 11/16/21 Page 6 of 11

On 5/31/21 while waiting to attend day medical in VARTHOUSE I was awake by then rack mate Joshua Allen Gordon in section D/E Cell 239 the doors never opened so Mr. Gordon stated what's up and the zone discovered that the phone cover was taken off the wall and no one was allowed out while exposed wires are out. Via wall phone during NB AFFAIRS. So Mr. Gordon whom was already on lock down for disrespecting officer Reese stated that he Mr. Gordon would flood this bitch out. I VARTHOUSE PEMS stated to him "look AINT no extra trays, or JALAPINO cheese or Honey Buns in the hole he Mr. Gordon swung at me and we fought for a few minutes and gathered our selfs before some one came. Mr. PEMS laid back down and awoke to the cell full of water with Mr. Gordon sitting on the toilet he said "I don't give a fuck I'm going home wensday, I got court." Well when Sgt. (Gregory) JACENT entered the zone he pitched a ASS about the flood he stated ALL YA had to do was wait for investigation or investigator to show up and YALL would have been out. He Mr. GREGORY rolled the CAMERAS back and stated "I should have known that Vartorus PEMS" he stated "oh no" NOT ME please hold up for your crime Mr. Gordon. He pointed at me Mr. PEMS while Sgt. GREGORY was at the cell door and then Sgt. Gregory stated "I KNEW you did it PEMS" "PACK YOUR SHIT your going to the hole I prayed in silence and then he returned with several officers and exempted Mr. Gordon but wrote me VARTHOUSE C. PEMS up for tampering with security devices and fighting with another inmate also insiting a riot. FASK when did I do All this. I WAS taken to B Box D-DAVID=LOCK DOWN CELL 232 and I became ill sick of the Snel (of phiseses (shit) piss) from melvin KEYS and tried to commit suicide to escape the misery of torture. I returned 2 days later after evaluation from social worker Kelly Moore, who released me back to the lock down area I WAS placed in cell 227 and they placed Jessie MYERS in my cell from 226 After He was SPRAYED with OC spray for NOT MOVING to my cell and He never has showered since He came 3 months ago from the streets. I Had A cell change to 128 then to 231 and became depressed bcuse I got bad news my uncle RICKY OTIS passed AWAY and I spoke of suicide thoughts and was place on suicide WKLS day 5/9/2021. ERT OF C S) came in to shower Red on Red and became ANGRY AS I WAS ESCORTED to medical. then on 6/10/21 offender Devon Harmon threatened to put his penis in my Food we got into a Heated Confrontations And I SLAPPED HIS TRAY out of his hand and threw water at him of C JIMENEZ then called A signal 34 inmate officer altercation in medical Come quick, offender Devon Harmon passed gas (FARTED) and I spit at the trash can Sgt. Woods, Sgt. ~~some~~ MRS. Sahuque 173 did advise me to keep my spit to my self I agreed, they left and then ERT-Ofc Kimberley Hodges, stated that your A BITCH ASS man crying cause I got whole time. I Vartourserenns told her "bitch your A whole Hoe trying to beat a man in here". She SAID say it again? See Attached!

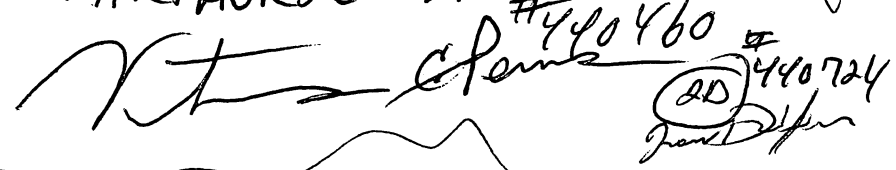
Case 1:21-cv-00271-TBM Document 5 Filed 11/18/21 Page 7 of 12 #440460  
Contribution from pgs 2, Attach STATEMENT OF CLADIN JARROUSE  
I bet your bitch ass won't call me a bitch again? I MR. Penns  
STATED I'm FROM NORTH GULF PORT, STRAIGHT OFF MLK Blvd  
you got me Fucked up BITCH you the bitch and she proceed  
with fist to palms to pouch and Beat on me from the right  
Side of my Face while my HANDS were cuffed behind  
my back in A Suicide smock, AND ERT-ofc JONES worked  
me from the left side, He at one point struck me with a  
very Hard object to the Left EAR CRACKIN MY JAW,  
I WAS raised up by JONES and ERICA Jimenez-ofc ERT,  
Ms. Jimenez stated that she and JONES were separating me  
From Kimberley Hodges-ERT ofc and as I sished to catch my breath I WAS  
SALAVA-tating to breathe and was over exhausted dizzy to be exact  
Camera 2's in medical would show all 4 angles (Angles). THEN ERT Hodges  
STATED as I cursed officer JONES for the Hard object He hit me  
with she said, "you spitting on my officer and they both  
pounced and ERICA Jimenez joined in beating me to the  
ground and when they raised me up I did Pass out on  
the spot + UNCONCIOUS and the both Hodges and Jones  
dropped me face first to the ground leaving me there  
the Nurse administered smelling SALT and as I came to I  
did and others hear ERT Hodges- ofc STATE "I wish the CAMERA didn't  
work I'd stomp his head in or kill this bitch I don't like him"  
they both Jones and Hodges ofc-ERT picked me up and began  
to take me to lock down but the officer ERICA Jimenez said,  
no He's going here in the quarantine cell alone and they placed  
me on my knees in the back like a wild animal at gun point  
of A Red beam (TALER) by Hodges who stated "if you move  
I'm gone fry your ASS's till we leave" I lost my temper  
and picked up the cold aluminum bed and they called maintenance to remove  
it from the cell and I WAS there till 6/11/21 with no medical help  
incident happened at 11:15 and I WAS seen at 12:15 AM that next day  
MR. Rogers and Kellymore via social workers to tell employees STAY AWAY see pgs

③ ATTACHMENT

STATEMENT OF CLAIM

"Addont touch me" she stayed all Night till about 1:30 AM CATCHING  
UP ON HER WORK CAMERA WOULD SHOW ALL THE BIG FACTS I HAVE  
been sentenced to 80 days lock down behind this matter  
I was written up by all 3 officers and accused of ASSAULT  
ON SOMEONE ELSE how could I with my hands behind my back  
and I never spit on or at any officer, please see ALL  
video tapes and help before this matter gets worse that  
same day I HAD AN ATTORNEY VISIT WHICH WAS CANCELLED  
and caused my court date to be pushed back to August 18;  
2021, I'm hurting very badly my body - Respectfully submitted:

VARTORSE C. PENNS

 #440460  
#440724  
Jared D. Penns



~~Harrison County Sheriff's Office~~

JL DIXONS

STATEMENT

~~Grievance Form~~  
"STATEMENT OF CLAIM"

From: JAMAR LANEIR DIXON <sup>Cell #</sup> 440724 <sup>B/D</sup> 223  
<sup>Inmate Name</sup> [LANEIR] <sup>Docket #</sup>  <sup>Unit</sup>

Date Submitted: Date of Incident: 6/4/2021Incident # 13469 ON CAMERA "15:10 hrs DAY ROOM FLOOR"This is a grievance concerning: ON OR ABOUT THE 6/4/2021 WHILE BEING JAMAR L.

DIXON - brought to B-BOY-D-DAVID-BLOCK by CRT and officer JACOB MORGAN. I was initially assigned to cell #232 where camera would show I was escorted by several of CRT members and they used unnecessary force with my head ramming it into the door 232 before it opened and busted my head causing me to need 3 or 4 stitches in the forehead. When we entered the cell they proceeded to punch and kick me in the side and face till bloody then they moved me to down stairs 127 until I healed so I slept under the rack for safety, on 6/18/21 I was moved up stairs by the Shower to cell #223. I'm hurt and confused I need help ASAP ALSO I can not read alot or spell too good so I told MR. Penns to Please help me with this statement. (VCP) [Signature] #440460

Jamar L Dixon [Signature] #440724

I Swear under the penalty of perjury that the above statement is true and to the best of my knowledge correct camera would show at Harrison County Jail

Jamar L Dixon

[Signature] #440724 DATE 6/1/2021

Written by  
 VARTURSE Penns Consent  
 given and stated by JAMAR DIXON  
 himself.

VARTURSE Penns #440460

Jamar L Dixon

#440724

[Signature] #440724  
 JAMAR LANEIR DIXON

① Ref. to

~~Harrison County Sheriff's Office~~

~~Varkuse C. Perry~~ #440760  
#06945 ~~Complaint Form~~

~~To: Complaint Officer~~

From: JAMAR L DIXON  
Inmate Name

440724  
Docket #

B/D 223  
Unit

Date Submitted: \_\_\_\_\_

Date of Incident: 6/4/2021

This is a grievance concerning:

RELIEF SOUGHT BY COURT.

Removal of Tier system

That all officers be removed from positions of power and replaced and that the federal government take over the Jail and run it at full 100% capacity and that the privileges be given back to lock down offenders phone calls, and access to media and the outside world, yard calls, that the JAIL provide 3 full course meals and not just breakfast, lunch and 2 sandwiches. That all named medical staff be removed and replaced with better health care, that the sheriff be prosecuted for his involvement with several deaths here at the Jail, and forcing medical staff to save money and lie about patients being just fine given 1b proten for every broken bone, By Chain of Command and liability all be penalized to the maximum degree by this Honorable Courts. That suicide offenders be allowed to keep their MATTRESS and BLANKETS the entire time of being on suicide watch and allowed to sleep with clean sanitation for lock down and suicide cells, That lock down offenders be given the right to make full canteen orders and Removal of the tier system from the entire JAIL. To Press Charges on all staff for Attempted murder or Persue Criminal charges ASAP. see Attach.

Respectfully Submitted;

Inmate Signature

① JAD 1/8/16

x 440724 [Signature]

## RELIEF SOUGHT BY COURTS

"Further plaintiff(s) seek to request that the use of tobacco be permitted in the County Jail in accordance with ~~Doc~~ All Tobacco products be made available. ~~Waps/piped and cartons of cigarettes, cigars, tobacco, matches, rolling papers, pipes, bongs, synthetic and medical marijuana, jars of peanut butter, that all inmates be given the best of synthetic marijuana and medical, at discretion of nurse, \$10.00 canteen out of the county's budget the appropriate time and day of canteen leaving no offender without, that 3 trays full of coarse meals be distributed with the 12:00 noon lunch bag and cereal and milk be added back to the menu, condiments be given back Mayo, sugar, salt, pepper, bacon, ham, boiled eggs, fried foods be placed back in the menu, ice cream, Philly cheese stakes, hot pockets, pizza, and doughnuts and cinnamon rolls, be placed back on menu, fresh fruit, apples, oranges, bananas, peaches, plums, grapes, strawberries, blueberries, etc, french fries, sodas on canteen, lighters, pens, staplers, hole punches, etc, pecan pie, brownie pudding, etc, be stalled back into the jail and the public be allowed contact visits, tablets and video visits allowed as long as inmate funds are available to purchase time, a better mental health facility be established for the therapeutic needs of housing and conditions with respect for human life, that all staff eat free and all leftovers be passed out to the offenders, any one entering the jail after hours that sandwiches or full tray meals be provide regardless of time till next meal. Plaintiff(s) prays this Honorable Court does GRANT this HFS requested relief sought by courts and ANY other's deemed just.~~

Respectfully submitted: ~~V. L. Dixon~~ ~~440460~~ ~~XLD~~  
Jamaal L Dixon